

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Michael Sapia, et al.

DEFENDANTS

Home Box Office, Inc.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Valli Kane & Vagnini LLP

600 Old Country Road, Suite 519, Garden City, NY 11530

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Fair Labor Standards Act, 29 U.S.C. 201 - Retaliation

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

Is THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	INJURY/PRODUCT LIABILITY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	SEIZURE OF PROPERTY	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	21 USC 881	28 USC 157	REAPPORTMENT
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL	[] 690 OTHER		[] 410 ANTITRUST
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	PROPERTY RIGHTS		[] 450 COMMERCE
ENFORCEMENT	LIABILITY		[] 820 COPYRIGHTS		[] 460 DEPORTATION
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 830 PATENT		[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT		[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[] 152 RECOVERY OF	LIABILITY	[] 370 OTHER FRAUD	[] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING			(RICO)
STUDENT LOANS	[] 355 MOTOR VEHICLE				[] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[] 490 CABLE/SATELLITE TV
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	SOCIAL SECURITY	
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 861 HIA (1395ff)	[] 861 HIA (1395ff)	[] 850 SECURITIES/
OF VETERAN'S	[] 362 PERSONAL INJURY -	PRODUCT LIABILITY	[] 862 BLACK LUNG (923)	[] 862 BLACK LUNG (923)	COMMODITIES/
BENEFITS	MED MALPRACTICE	[] 385 PROPERTY DAMAGE	[] 863 DIWC/DJWW (405(g))	[] 863 DIWC/DJWW (405(g))	EXCHANGE
[] 160 STOCKHOLDERS			[] 864 SSID TITLE XVI	[] 864 SSID TITLE XVI	
SUITS		PRISONER PETITIONS	[] 865 RSI (405(g))	[] 865 RSI (405(g))	
[] 190 OTHER	ACTIONS UNDER STATUTES	[] 463 ALIEN DETAINEE			[] 890 OTHER STATUTORY
CONTRACT	CIVIL RIGHTS	[] 510 MOTIONS TO	[] 710 FAIR LABOR	FEDERAL TAX SUITS	ACTIONS
[] 195 CONTRACT	[] 440 OTHER CIVIL RIGHTS	VACATE SENTENCE	STANDARDS ACT	[] 870 TAXES (U.S. Plaintiff or	[] 891 AGRICULTURAL ACTS
PRODUCT	(Non-Prisoner)	28 USC 2255	RELATIONS	Defendant)	
LIABILITY		[] 530 HABEAS CORPUS	[] 740 RAILWAY LABOR ACT	[] 871 IRS-THIRD PARTY	[] 893 ENVIRONMENTAL
[] 196 FRANCHISE		[] 535 DEATH PENALTY	LEAVE ACT (FMLA)	26 USC 7609	MATTERS
		[] 540 MANDAMUS & OTHER	[] 790 OTHER LABOR		[] 895 FREEDOM OF
			LITIGATION		INFORMATION ACT
REAL PROPERTY			[] 791 EMPL RET INC		[] 896 ARBITRATION
[] 210 LAND	[] 441 VOTING	PRISONER CIVIL RIGHTS	SECURITY ACT (ERISA)		[] 899 ADMINISTRATIVE
CONDEMNATION	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS			PROCEDURE ACT/REVIEW OR
[] 220 FORECLOSURE	[] 443 HOUSING/	[] 555 PRISON CONDITION	[] 462 NATURALIZATION		APPEAL OF AGENCY DECISION
[] 230 RENT LEASE &	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	APPLICATION		
EJECTMENT	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	[] 465 OTHER IMMIGRATION		[] 950 CONSTITUTIONALITY OF
[] 240 TORTS TO LAND	DISABILITIES -		ACTIONS		STATE STATUTES
[] 245 TORT PRODUCT	EMPLOYMENT				
LIABILITY	[] 446 AMERICANS WITH				
[] 290 ALL OTHER	DISABILITIES -OTHER				
REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form 1H-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] DEF []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] DEF []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] DEF []
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:

☐ WHITE PLAINS☒ MANHATTAN

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 06 ____ Yr. 99 ____)

Attorney Bar Code # JV2163

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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